

SENATE JOINT RESOLUTION NO. 5

INTRODUCED BY SCHMIDT

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING AN INTERIM STUDY TO INVESTIGATE THE ISSUE OF TRUANCY IN MONTANA'S PUBLIC SCHOOLS AND TO PROVIDE OPTIONS FOR MORE EFFECTIVELY INTERVENING WITH TRUANT STUDENTS AND THEIR FAMILIES TO END OR CURTAIL THE CYCLE OF TRUANCY BY STUDENTS ENROLLED IN PUBLIC SCHOOLS; AND REQUIRING THAT THE FINAL RESULTS OF THE STUDY BE REPORTED TO THE 60TH LEGISLATURE.

WHEREAS, Article X, section 1(1), of the Montana Constitution provides that it "is the goal of the people to establish a system of education which will develop the full educational potential of each person"; and

WHEREAS, truancy is an issue that dramatically affects a child's ability to receive a quality education and, as a result, will preclude development of the child's full educational potential; and

WHEREAS, according to a 2003 briefing report by the National Conference of State Legislatures (NCSL), truancy constitutes a warning sign that a student could be headed toward educational failure and often is a stimulus for crime if not addressed; and

WHEREAS, the NCSL report also stated that according to a Los Angeles County Office of Education report, chronic absenteeism is the strongest predictor of delinquent behavior and that, according to a Department of Justice study, approximately two-thirds of serious violent offenders and one-half of serious nonviolent offenders among both boys and girls had been truants; and

WHEREAS, even if truancy does not lead to criminal offenses, it costs the state in terms of the lost productivity of its citizens who have to either take extra time to make up the lost educational opportunity or take jobs that are beneath their potential because of having missed the necessary education for jobs that would match their potential; and

WHEREAS, truancy is often a generational problem that is evident in preschool and the early elementary grades and increases as a problem as a child progresses through school, often culminating in a child dropping out before completing school; and

WHEREAS, the factors contributing to truancy are complex and involve multiple parties, including the child, the family, the school system, the human services system, law enforcement, youth court, and members

1 of the community at large; and

2 WHEREAS, the recent congressional "No Child Left Behind Act" encourages schools to work closely
3 with law enforcement and the community to enforce truancy policies and criminal laws and requires state
4 education agencies to provide information to the public on school truancy rates; and

5 WHEREAS, all parties involved need a forum to identify problem areas and agree upon solutions to
6 reduce the rate of truancy in public schools to allow all children the opportunity to achieve their full educational
7 potential; AND

8 WHEREAS, WITH THE INCREASING OPPORTUNITIES FOR DISTANCE LEARNING AND ALTERNATIVE EDUCATION
9 OPTIONS, THE NEED FOR PHYSICAL ATTENDANCE MAY BE CHANGING AND, CONSEQUENTLY, THE TRUANCY POLICIES MAY
10 NEED TO BE UPDATED.

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12 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF
13 THE STATE OF MONTANA:

14 That the Legislative Council be requested to designate an appropriate interim committee, pursuant to
15 section 5-5-217, MCA, or direct sufficient staff resources to examine truancy in public schools in order to
16 determine how to best address the problem.

17 BE IT FURTHER RESOLVED, that the Legislature recognizes that the study must involve all parties with
18 a role in truancy prevention and enforcement, including but not limited to the child, the family, the public school
19 system, the human services system, law enforcement, youth court, and members of the community at large.

20 BE IT FURTHER RESOLVED, THAT AN UP-TO-DATE APPROACH TO TRUANCY THAT TRULY IDENTIFIES RISKS
21 TO EDUCATIONAL POTENTIAL BE ADOPTED.

22 BE IT FURTHER RESOLVED, that if the study is assigned to staff, any findings or conclusions be
23 presented to and reviewed by an appropriate committee designated by the Legislative Council.

24 BE IT FURTHER RESOLVED, that all aspects of the study, including presentation and review
25 requirements, be concluded prior to September 15, 2006.

26 BE IT FURTHER RESOLVED, that the final results of the study, including any findings, conclusions,
27 comments, or recommendations of the appropriate committee, be reported to the 60th Legislature.

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